THE CONTINENTAL JOURNAL AND WEEKLY ADVERTISER.

THURSDAY, AUGUST 8, 1776. [NUMB. XI.

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CONSTITUTION of *New-Jersey.*

WHEREAS all the constitutional authority ever poſſeſſed by the Kings of *Great-Britain* over theſe Colonies, or their other Dominions, was, by compact, derived from the people, and held of them for the common intereſt of the whole ſociety; allegiance and protection are, in the nature of things, reciprocal ties, each equally depending upon the other, and liable to be diſſolved by the other's being refuſed or withdrawn: And whereas *George* the third, King of *Great-Britain*, has refuſed protection to the good people of theſe colonies; and, by aſſenting to ſundry acts of the *Britiſh* Parliament, attempted to ſubject them to the abſolute Dominion of that body; and has alſo made War upon them in the moſt cruel and unnatural manner, for no other cauſe than aſſerting their juſt rights: All civil authority under him is neceſſarily at an end, and a Diſſolution of Government in each Colony has conſequently taken place.

And whereas in the preſent deplorable ſituation of theſe Colonies, expoſed to the fury of a cruel and reſtleſs enemy, ſome form of Government is abſolutely neceſſary, not only for the preſervation of good order, but alſo the more effectually to unite the people, and enable them to exert their whole force in their own neceſſary defence; and as the honorable the Continental Congreſs, the ſupreme council of the American Colonies, has adviſed ſuch of the Colonies as have not yet gone into the meaſures, to adopt for themſelves reſpectively ſuch government as ſhall beſt conduce to their own happineſs and ſafety, and the well being of America in general: We, the Repreſentatives of the colony of New-Jerſey, having been elected by all the counties in the freeſt manner, and in Congreſs aſſembled, have after mature deliberation, agreed upon a Set of Charter Rights, and the Form of a Conſtitution, in manner following, *Viz.*

I. That the Government of this province ſhall be veſted in a Governor, Legiſlative Council and General Aſſembly.

II. That the ſaid Legiſlative Council and General Aſſembly ſhall be choſen, for the firſt time on the ſecond Tueſday in Auguſt next; the members whereof ſhall be the ſame in number and qualifications as is herein after mentioned; and ſhall be and remain veſted with all the powers and authority to be held by any future Legiſlative Council and Aſſembly of this colony, until the ſecond Tueſday in October, which will be in the year of our Lord One Thouſand Seven Hundred and Seventy-ſeven.

III. That on the ſaid ſecond *Tueſday* in *October*, yearly and every year forever (with the privilege of adjourning from day to day as occaſion may require) the counties ſhall ſeverally chooſe one perſon to be a member of the Legiſlative Council of this colony, who ſhall be and have been for one whole year next before the election, an inhabitant and freeholder in the county in which he is choſen; and worth at leaſt one thouſand pounds, proclamation money, of real and perſonal eſtate within the ſame county: That, at the ſame time, each county ſhall alſo chooſe three Members of Aſſembly; provided, that no perſon ſhall be entitled to a ſeat in the ſaid Aſſembly, unleſs he be and have been for one whole year next before the election, an inhabitant of the county he is to repreſent, and worth five hundred pounds proclamation money, in real and perſonal eſtate in the ſame county: That, on the ſecond Tueſday next after the day of election, the Council and Aſſembly ſhall ſeparately meet; and that the conſent of both houſes ſhall be neceſſary to every law, provided that ſeven ſhall be a quorum of the Council for doing buſineſs; and that no law ſhall paſs, unleſs there be a majority of all the repreſentatives of each body perſonally preſent and agreeing thereto. Provided always, that if a majority of the repreſentatives of this province in Council and General Aſſembly convened, ſhall, at any time or times hereafter, judge it equitable and proper to add or diminiſh the number or proportion of the members of the Aſſembly for any county or counties in this colony, then, and in ſuch caſe, the ſame may, on the principles of more equal repreſentation, be lawfully done, any thing in this charter to the contrary notwithſtanding; ſo that the whole number of repreſentatives in Aſſembly ſhall not at any time be leſs than ninety nine.

IV. That all inhabitants of this colony of full age, who are worth fifty pounds, proclamation money, clear eſtate in the ſame, and have reſided within the county in which they claim a vote for twelve months immediately preceding the election, ſhall be entitled to vote for repreſentatives in Council and Aſſembly; and alſo for all other public officers that ſhall be elected by the people of the colony at large.

V. That the Aſſembly, when met, ſhall have power to chooſe a Speaker, and other their officers to be judges of the qualifications and elections of their own members; fix upon their own adjournments; prepare bills to be paſſed into laws, and to empower their Speaker to convene them, whenever any extraordinary occurrence ſhall render it neceſſary.

VI. That the Council ſhall alſo have power to prepare bills to paſs into laws, and have other like powers as the Aſſembly, and in all reſpect be a free and independent branch of the legiſlature of this Colony; ſave only that they ſhall not prepare or alter any money bill, which ſhall be the privilege of the Aſſembly; that the Council ſhall, from time to time, be convened by the Governor or Vice-preſident, but muſt be convened at all times when the Aſſembly ſits; for which purpoſe the Speaker of the houſe of Aſſembly ſhall always immediately after an adjournment give notice to the Governor or Vice-preſident of the time and place to which the houſe is adjourned.

VII. That the Council and Aſſembly jointly at their firſt meeting, after each annual election, ſhall, by a majority of votes, elect ſome fit perſon within the colony to be a Governor for one year, who ſhall be conſtant preſident of the Council, and have a caſting vote in their proceedings; and that the Council themſelves ſhall chooſe a Vice-preſident, who ſhall act as ſuch in the abſence of the Governor.

VIII. That the Governor, or, in his abſence, the Vice-preſident of the Council, ſhall have the ſupreme executive power, be Chancellor of the Colony, and act as Captain-General and Commander in Chief of all the Militia, and other military force in this colony; and that any three or more of the Council ſhall, at all times, be a Privy Council to conſult them, and that the Governor be Ordinary or Surrogate General.

IX. That the Governor and Council (ſeven whereof ſhall be a quorum) be the court of appeals in the laſt reſort in all cauſes of law as heretofore; and that they poſſeſs the power of granting pardons to criminals after condemnation in all caſes of treaſon, felony, or other offences.

X. That Captains, and all other inferior officers of the militia, ſhall be choſen by the companies in the reſpective counties; but Field and General officers by the Council and Aſſembly.

XI. That the Council and Aſſembly ſhall have power to make the great Seal of this colony, which ſhall be kept by the Governor, or, in his abſence, by the Vice-Preſident of the Council, to be uſed by them as occaſion may require, and it ſhall be called the Great Seal of the colony of New Jerſey.

XII. That the Judges of the ſupreme court ſhall continue in office ſeven years, the Judges of the inferior court of Common Pleas in the ſeveral counties, Juſtices of the peace, clerks of the ſupreme court, clerks of the inferior courts of common pleas, and quarter-ſeſſions, the attorney general and provincial ſecretary, ſhall continue in office for five years, and the provincial treaſurer ſhall continue in office for one year; and that they ſhall be ſeverally appointed by the Council and Aſſembly in manner aforeſaid, and commiſſioned by the Governor, or in his abſence, by the Vice-preſident of the Council. Provided always, That the ſaid officers ſeverally ſhall be capable of being re-appointed at the end of the terms ſeverally before limited; and that any of the ſaid officers ſhall be liable to be diſmiſſed, when adjudged guilty of miſbehaviour by the Council on an impeachment of the Aſſembly.

XIII. That the inhabitants of each county, qualified to vote as aforeſaid, ſhall at the time and place of electing their repreſentatives, annually elect one Sheriff and one or more Coroners; and that they may re-elect the ſame perſon to ſuch offices until he ſhall have ſerved three years, but no longer; after which three years muſt elapſe before the ſame perſon is capable of being elected again. When the election is certified to the Governor or Vice-preſident, under the hands of ſix freeholders of the county for which they were elected, they ſhall be immediately commiſſioned to ſerve in their reſpective offices.

XIV. That the townſhips, at their annual town-meetings for electing other officers, ſhall chooſe conſtables for the diſtricts reſpectively; and alſo three or more judicious freeholders of good character to hear and finally determine all appeals relative to unjuſt aſſiments in caſes of public taxation; which commiſſioners of appeal ſhall, for that purpoſe, ſit at ſome ſuitable time or times to be by them appointed, and made known to the people by advertiſements.

XV. That the laws of this colony ſhall begin in the following ſtyle, viz. Be it enacted by the Council and General Aſſembly of this colony, and it is hereby enacted by the authority of the ſame: That all commiſſions granted by the Governor or Vice-preſident, ſhall run thus—The colony of New-Jerſey to A B, &c. Greeting: And that all writs ſhall likewiſe run in the name of the colony; and that all indictments ſhall conclude in the following manner, viz. againſt the peace of this colony, the government and dignity of the ſame.

XVI. That all criminals ſhall be admitted to the ſame privileges of witneſſes and counſel, as their proſecutors are or ſhall be entitled to.

XVII. That the eſtates of ſuch perſons as ſhall deſtroy their own lives, ſhall not, for that offence, be forfeited; but ſhall deſcend in the ſame manner as they would have done had ſuch perſon died in the natural way; nor ſhall any article, which may occaſion accidentally the death of any one, be henceforth deemed a Deodand, or in anywiſe forfeited on account of ſuch misfortune.

XVIII. That no perſon ſhall ever within this colony be deprived of the ineſtimable privilege of worſhipping Almighty God in a manner agreeable to the dictates of his own conſcience; nor under any pretence whatſoever compelled to attend any place of worſhip, contrary to his own faith and judgement; nor ſhall any perſon within this colony ever be obliged to pay tithes, taxes or any other rates, for the purpoſe of building or repairing any other church or churches, place or places of worſhip, or for the maintenance of any minider or miniſtry, contrary to what he believes to be right, or has deliberately or voluntarily engaged himſelf to perform.

XIX. That there ſhall be no eſtabliſhment of any one religious ſect in this province in preference to another; and that no proteſtant inhabitants of this colony ſhall be denied the enjoyment of any civil right merely on account of his religious principles; but that all perſons profeſſing a belief in the faith of any proteſtant ſect, who ſhall demean themſelves peaceably under the Government, as hereby eſtabliſhed, ſhall be capable of being elected into any office of profit or truſt, or being a member of either branch of the legiſlature, and ſhall fully and freely enjoy every privilege and immunity enjoyed by others their fellow ſubjects.

XX. That the legiſlative department of this colony, may, as much as poſſible, be preſerved from all ſuſpicion of corruption, none of the Judges of the ſupreme or other courts, Sheriffs, or any other perſon or perſons poſſeſſed of any poſt of profit under the Government, other than Juſtices of the peace, ſhall be entitled to a ſeat in Aſſembly; but that in his being elected and taking his ſeat, his office or poſt ſhall be conſidered as vacant.

XXI. That all the laws of this province, contained in the edition lately publiſhed by Mr. Alliſon, ſhall be and remain in full force, until altered by the legiſlature of this colony (ſuch only excepted as are incompatible with this charter) and ſhall be, according as heretofore, regarded in all reſpects by all civil officers, and others, the good people of this province.

XXII. That the common law of England, as well as to much of the ſtatute law, as have been heretofore practiſed in this colony, ſhall ſtill remain in force, until they ſhall be altered by a future law of the legiſlature; ſuch parts only excepted as are repugnant to the rights and privileges contained in this charter; and that the ineſtimable right of Trial by Jury, ſhall remain confirmed, as a part of the law of this colony, without repeal forever.

XXIII. That every perſon, who ſhall be elected as aforeſaid, to be a member of the Legiſlative Council, or Houſe of Aſſembly, ſhall, previous to his taking his ſeat in Council or Aſſembly, take the following oath or affirmation, viz. *I A. B. do ſolemnly declare, that as a member of the Legiſlative Council (or Aſſembly, as the caſe may be) of the colony of New-Jerſey, I will not aſſent to any law, vote, or proceeding which ſhall appear to me injurious to the public welfare of ſaid colony, nor that ſhall annul or repeal that part of the third ſection in the charter of this colony, which eſtabliſhes that the elections of members of the Legiſlative Council and Aſſembly, ſhall be annual; nor that part of the twenty ſecond ſection in ſaid charter, reſpecting the Trial by Jury; nor that ſhall annul, repeal, or alter any part or parts of the eighteenth or nineteenth ſections of the ſame.* And any perſon or perſons, who ſhall be elected as aforeſaid, is hereby empowered to adminiſter to the ſaid members the ſaid oath or affirmation.

Provided always, and it is the true intent and meaning of this Congreſs, That if a reconciliation between Great-Britain and theſe Colonies ſhall take place, and the latter be again taken under the Protection and Government of the Crown of Great-Britain, this Charter ſhall be null and void, otherwiſe to remain firm and inviolable.

In Provincial Congreſs, New-Jerſey,
Burlington, July 2d, 1776.

By Order of Congreſs,
SAMUEL TUCKER, Preſident.

Extract from the Minutes,
WILLIAM PATTERSON, Secretary.

(see Marginbelow) because the People are not properly represented.—New hampshire (see page 883) a miserable one, having no Governor. Georgia, worse, having (if I mistake not) only a House,—Connecticut & Rhode Island, retain their old Form:—& Massachusetts not formed one yet.

(a) See Magna Charta, pa. 790, 10 &c. Vol. 2, & indexes under Jury.

(a) See South Carolina Form, pa. 947, & Virginia, pa. 979, with remarks.
(b) see pa. 996.

(4) See on Common Law, pa. 964, Vol. 2, & pa. 691.

* See Charter of the Massachusetts Bay, pa. 1077, Vol. 2, & Letter to L. Hillsborough, page, 949, Vol. 2.

† See Table of Grievances, pa. 971, & declaration of independency Ibid.

‡ See indexes, under Towns, Country, Assembly, representatives, resolves, votes, Congress, Continental, & Provincial, rising of the Country, & Army of the United Colonies.

See American rights, pa. 1093, 1228.

§ See indexes, under Army, British, & Men of War.

¶ See index, under Army of the United Colonies, & Naval affairs.

(1) See index under Congress, & Continental.

(2) See resolve, pa. 945.

(3) See index, under Government, Form of.

◊ This is the best & Most Free Constitution that I have yet seen; except with regard to the Judges of the supreme Court, their Commissions ought to be during good behaviour. I have not yet North Carolina; Maryland a good one, & I think similar to this; for New York, said to be the most perfect. Pennsylvania, not a good one, see top of the Page—

(1) See page 982. V. See indexes, under Army British. 2 See index, under Army of the United Colonies — see index, under Congress, Continental. (2) See resolve, par. Middle Column. 2 See index, under Canada. (3) See pa. 960. 985. 1004. (4) See Gen. Washington's Letter, pa. 816. (5) See Howes declaration, pa. 979. (6) See list of Grievances, pa. 971. (7) See indexes, under Towns, County Assembly Representatives, Congress, Continental, & Provincial, riots resolves, & tryals of the County, & Army of the United Colonies. (8) See American rights, pa. 1089, 1228. (9) See pa. 961. (10) See indexes, under Army British, & Men of War. (11) See pa. 956, 964.

PHILADELPHIA.

The following is an exact state of what passed at the interview between his Excellency General Washington and Col. Patterson, Adjutant-General of the army under General Howe, July 20, 1776.

After usual compliments, in which, as well as through the whole conversation, Col. Patterson addressed General Washington by the title of Excellency, Col. Patterson entered upon the business by saying, that General Howe much regretted the difficulties which had arisen respecting the address of the letters to General Washington; that it was deemed consistent with propriety, and founded upon precedents of the like nature by Ambassadors and Plenipotentiaries where disputes or difficulties of rank had arisen; that General Washington might recollect he had, last summer, addressed a letter to Gen. Howe, To the Hon. Wm. Howe, Esq; that Lord Howe and Gen. Howe did not mean to derogate from the respect or rank of General Washington; that they held his person and character in the highest esteem; that the direction, with the addition of &c. &c. &c. implied every thing that ought to follow. He then produced a letter which he did not directly offer to General Washington, but observed that it was the same letter which had been sent, and laid it on the table, with a superscription to George Washington, &c. &c. &c. The General declined the letter, and said, that a letter directed to a person in a public character, should have some description or indication of it, otherwise it would appear a mere private letter; that it was true the &c. &c. &c. implied every thing, and they also implied any thing; that the letter to Gen. Howe alluded to, was in answer to one received under a like address from him, which the affair on duty having taken, he did not think proper to return, but answered it in the same mode of address; that he should absolutely decline any letter directed to him as a private person, when it related to his public station. Col. Patterson then said, that General Howe would not urge his delicacy any further, and repeated his assertions, that no failure of respect was intended. He then said, that he would endeavour as well as he could, to recollect General Howe's sentiments on the letter and resolve of Congress, sent him a few days before, respecting the treatment of our prisoners in Canada. "That the affairs of Canada were in another department, not subject to the controul of General Howe, but that he and Lord Howe utterly disapproved of every infringement on the rights of humanity." (2) Col. Patterson then took a paper out of his pocket; and after looking it over, said he had extracted nearly the words. General Washington said that he had also forwarded a copy of the resolves to General Burgoyne. To which Col. Patterson replied, he did not doubt a proper attention would be paid to them, and that he (Gen. Washington) was sensible that cruelty was not the characteristic of the British nation. Col. Patterson then proceeded to say, he had it in charge to mention the case of Gen. Prescot, who they were informed was treated with such rigour, that under his age and infirmities, fatal consequences might be apprehended.

General Washington replied, that General Prescot's treatment had not fallen under his notice; that all persons under his particular direction, he had treated with kindness, and made their situation as easy and comfortable as possible; that he did not know where General Prescot was, but believed his treatment was very different from their information. General Washington then mentioned the case of Col. Allen, (3) and the officers who had been confined in Bolton goal. (4) As to the first, Col. Patterson answered, that General Howe, had no knowledge of it but by information from General Washington, and that the Canada affair was not under his direction or controul; that as to the other prisoners at Bolton, when ever the state of the army at Bolton admitted it, they were treated with humanity and even indulgence; that this he asserted upon his honour, and should be happy in an opportunity to prove it.

General Washington then observed, that the conduct of several of the officers would well have warranted a different treatment from what they had received; some having refused to give any parole, and others having broke it when given, by escaping, or endeavouring so to do. Col. Patterson answered, that as to the first, they misunderstood the matter very much, and seemed to have mistook the line of propriety exceedingly; and as to the latter, General Howe utterly disapproved and condemned their conduct.

That if a remonstrance was made, such violations of good faith, would be severely punished; but that he hoped General Washington was too just to draw public inferences from the misbehaviour of some private individuals; that bad men were to be found in every class and society; that such behaviour was considered as a dishonour to the British army. Col. Patterson then proceeded to say, that the goodness and benevolence of the King had induced him to appoint Lord and General Howe his Commissioners, to accommodate this unhappy dispute, (5) that they had great powers, and would derive the greatest pleasure from effecting an accommodation, and that he (Col. Patterson) wished to have this wish considered as making the first advances to this desirable object. (6) General Washington replied that, he was not vested with any powers on this subject, by those from whom he derived his authority and power. But from what had appeared or transpired on this head, Lord Howe and General Howe were only to grant pardons; that those who had committed no fault wanted no pardon, that we were only defending that we deemed our indisputable right. (7) Col. Patterson said that would open a very wide field for argument. He then expressed his apprehension that an adherence to forms was likely to obstruct business of the greatest moment and concern.

He then observed that a proposal had been formerly made of exchanging Governor Skene for M. Lovell; that he now had authority to accede to that proposal. General Washington replied, that the proposition had been made by the direction of Congress, and having been rejected, he could not now renew the business, or give any answer, till he had previously communicated it to them.

Col. Patterson behaved with the greatest attention and politeness during the whole business, expressing strong acknowledgements that the usual ceremony of blinding his eyes had been dispensed with. At the breaking up of the conference, General Washington strongly invited him to partake of a small collation provided for him, which he politely declined, alledging his late breakfast, and an impatience to return to General Howe, thought he was not executed his commission so amply as he wished. Finding he did not propose staying, he was introduced to the General Officers, after which he took his leave, and was safely conducted to his own boat, which waited for them about four miles distant from the city.

Made public by order of Congress.

JOHN HANCOCK, President.

LONDON, April 16.

To the KING's Most Excellent MAJESTY.

The humble memorial of James Wilson,

Sheweth,

THAT the memorialist has served your Majesty for upwards of fifteen years, as a Captain in one of your Majesty's marine forces, during which time memorialist discharged his duty with fidelity, to the utmost of his power, and that memorialist has had the honour of a seat in the House of Commons in Ireland during the present Parliament, in which capacity, as a servant of the people, his conduct has been uniformly directed by the best of his understanding, to promote the interest of this kingdom, humbly conceiving the well-being of this island essentially conducive to the honour and support of your Majesty's government; that memorialist is, by every binding influence of allegiance and inviolable inclination, ready to risk his life and property, if required, to maintain those inestimable principles by which your Majesty's illustrious family obtained the sovereignty of these realms; but it is with the most poignant concern that memorialist finds himself compelled, by the pernicious measures of your Majesty's ministers, and the indefeasible dictates of nature, to implore your Majesty to withdraw him from the rank and honour he enjoys under your Majesty, as Captain on half-pay, memorialist thinking it inconsistent with fidelity to your Majesty, as a subject, of the people, as representative, to receive those wages which render him liable to the commands of ministers, the perpetration of whose designs against America would now be much preferable to, as it ever had been in the mind of memorialist to hesitate in the support of your Majesty's real glory and happiness. Memorialist therefore humbly intreats your Majesty, in your royal clemency, graciously to take his case full memorial into consideration, as the only reward for his service, that memorialist may be emancipated from the distressing apprehension which the present military preparations against America suggest, of being obliged to disobey the commands of his sovereign, or adopt the horrid alternative of shedding every impulse of humanity, and rushing into the blood of kindred, fellow subjects, and countrymen. (10)

[*The above gentleman, who is a member in the Irish Parliament, for Lagmon in the county of Wexford, a Capt. in the Year 1760 raised 130 men (at his purchase of his company) on his own estate in Ireland and served all the remainder of the war in actual service, with the highest credit to himself.*]

PHILADELPHIA.

IN CONGRESS, *July 19*, 1776.

THE Committee to whom the cartel between Brigadier General Arnold and Captain Foster, and the several papers thereto relating were committed, having had the same under their consideration, and made diligent inquiry into the facts, (11) have agreed to the following report:

They find that a party of three hundred and ninety Continental troops, under the command of Col. Bedel, was posted at the Cedars, about forty-three miles above Montreal; that they had there formed some works of defence, the greater part of them unquieted lines, the rest a breast work of earth, with two field pieces mounted.

That on Wednesday, the fifteenth of May, Col. Bedel received intelligence that a party of the enemy consisting of about six hundred regulars, Canadians, and Indians, were on their way to attack his post, and were then within nine miles of it—that Col. Bedel thereon set out himself for Montreal to procure a reinforcement, whereupon the command at the Cedars devolved on Major Butterfield. (11)

That on Thursday a reinforcement under the command of Major Sherburne, marched from Montreal for the Cedars, while a larger detachment should be getting ready to proceed thither with Brigadier General Arnold. (11)

That on Friday the nineteenth the enemy under the command of Captain Foster, invested the post at the Cedars, and for two days kept up a loose scattering fire (11)—That Major Butterfield proposed from the very first to surrender the post, and refused repeated solicitations from his officers and men to permit them to sally out on the enemy. (11)

That on Sunday afternoon, a flag being sent in by the enemy, Major Butterfield agreed to surrender the fort and garrison to Capt. Foster capitulating with him (whether verbally or in writing does not appear) that the garrison should not be put into the hands of the Savages, and that their baggage should not be plundered. (11)

That at the time of the surrender, the enemy consisted of about forty regulars, one hundred Canadians, and five hundred Indians, and had no cannon; the garrison had sustained no injury from the fire, but they having one man wounded—they had twenty rounds of cartridges a man, thirty rounds for one field-piece, five for another, half a barrel of gunpowder, fifteen pound of musket ball, and provision sufficient to have lasted them twenty or thirty days. Major Butterfield knew that a reinforcement was on its way, and moreover was so near the main body of the army that he could not doubt of being supported by that. (11)

That immediately on the surrender, the garrison was put into the custody of the Savages, who plundered them of their baggage, and even stripped them of their clothes. (11)

That Major Sherburne having landed, on Monday the twentieth, at Quinezecheenes, about nine miles from the Cedars, and marched on with his party, consisting then of one hundred men, to within four miles thereof, was there attacked by about five hundred of the enemy, that he maintained his ground about an hour, and then, being constrained to retreat, performed the same in good order, receiving and returning a constant fire for almost forty minutes, when the enemy finding means to post advanced parties in such a manner as to prevent any further retreat, they also were made prisoners of war. (11)

That they were immediately put into the custody of the Savages, carried to where Major Butterfield and his party were, and stripped of their baggage and wearing apparel. (11)

That two of them were put to death that evening, four or five others at different times afterwards, one of whom was of those who surrendered on capitulation at the Cedars, and was killed on the eighth day after that surrender. That one was first shot, and while retaining life and sensation was roasted, as was related by his companion now in possession of the Savages, who himself saw the fact, and that several others, being worn down by fatigue and cruelty, were left exposed on an island naked and perishing with cold and hunger. (11)

That while Major Sherburn was in custody of the enemy, Capt. Foster required of him and the other officers to sign a cartel stipulating the exchange of themselves and their men for as many of equal condition of the British troops in our possession. And further, that notwithstanding the exchange, neither themselves nor men should ever again bear arms against the British government. And for the performance of this four hostages were to be delivered, which they, being under the absolute power of the enemy, did sign. (11)

That on Sunday the twenty-sixth, the prisoners were carried to Joniagriebener, when it was discovered that General Arnold was approaching and making dispositions to attack them. (11)

That Capt. Foster, having desired Major Sherburne to attend a flag which he was about to send to General Arnold for confirmation of the cartel, carried him into the Council of the Indians then sitting, who told him, "that it was a mercy never before shewn in their wars, that they had put to death so few of the prisoners, but that he must expect and so inform General Arnold that they should certainly kill every man who should thereafter fall into their hands." That Capt. Foster joined in desiring that this bloody message should be delivered to General Arnold, and moreover that he should be notified, that if he rejected the cartel, attacked him, every man of his prisoners would be put to instant death. (11)

That General Arnold was extremely averse from entering into any agreement, and was at length induced to do it, by no other motive than that of saving the prisoners from cruel and inhuman death, threatened in such terms as left no doubt it was to be perpetrated; and that he did in the end conclude it after several flags received from Capt. Foster, and a relinquishment by him of the unequal article restraining our soldiers from again bearing arms.

That the prisoners, so stipulated to be given up to the enemy, were not in the possession of General Arnold, nor under his direction, but were, at that time, distributed through various parts of the continent, under the orders of this House. (11)

That four hostages were accordingly delivered to Capt. Foster who were immediately plundered and stripped by the Savages; and on his part was delivered one Major, four Captains, sixteen subalterns, and three hundred and fifty five privates, as specified in a certificate of Captain James Osgood, and others of whom no specification by their names or number has yet been transmitted; that he retained twelve Canadians, alledging, in his justification, express orders so to do; and that living in a military government, they were to be considered even in a worse light than deserters from his Majesty's armies. That he carried away in irons, but afterwards released; that he permitted the Indians to carry into their countries several other natives of the United States, for purposes unknown. (11)

That during the time of their captivity not half food was allowed the prisoners. They were continually insulted, buffeted, and ill treated by the Savages; and when the first parties of them were carried off from the shore, to be delivered to General Arnold, a ball or two were fired at them, and at the last parties musket balls.

Whereupon the Congress came to the following resolutions:

Resolved, That all acts, contrary to good faith, the laws of nature, or the custom of civilized nations, done by the officers and soldiers of his Britannic Majesty, or by foreigners or Savages taken into his service, are to be considered as done by his orders, unless indemnification be made in cases which admit indemnification and in all other cases, unless immediate and effectual measures be taken by him or his officers for bringing to condign punishment the authors, abetters, and perpetrators of the act. (11)

Resolved, That the plundering the baggage of the garrison at the Cedars, stripping them of their cloathes, and delivering them into the hands of the Savages, was a breach of the capitulation on the part of the enemy, for which indemnification ought to be demanded. (11)

Resolved, That the murder of the prisoners of war was a gross and inhuman violation of the laws of nature and nations; that condign punishment should be inflicted on the authors, abetters, and perpetrators of the same; and that for this purpose, it be required that they be delivered into our hands. (11)

Resolved, That the agreement entered into by Gen. Arnold was a mere sponsion on his part, he not being invested with the powers for disposing of prisoners not in his possession, nor under his direction; and that therefore it is subject to be ratified or annulled at the discretion of this House. (11)

Resolved, That the shameful surrender of the post at the Cedars, is chargeable on the commanding officer. That such other of the prisoners, as were taken there, shewed a willingness and desire to fight the enemy; and that Major Sherburne, and the prisoners taken with him, though their disparity of numbers was great, fought the enemy bravely for a considerable time, and surrendered at last, but on absolute necessity; on which considerations, and on which alone, it is resolved that the

said sponsion be ratified, and that an equal number of captives from the enemy of the same rank and condition be restored to them as stipulated by the said sponsion. ♁

Resolved, That previous to the delivery of the prisoners to be returned on one part, the British Commander in Canada be required to deliver into our hands the authors and abettors, and perpetrators of the horrid murder committed on the prisoners, to suffer such punishment as their crimes deserve; and also to make indemnification for the plunder at the Cedars, taken contrary to the faith of capitulation; and that until such delivery and indemnification be made, the said prisoners be not delivered. ♁

Resolved, That if the enemy shall commit any farther violences by putting to death, torturing, or otherwise ill treating the prisoners retained by them, or any of the hostages put into their hands, recourse may be had to retaliation, as the sole means of stopping the progress of human butchery; and that for that purpose punishments of the same kind and degree be inflicted on an equal number of the captives from thence in our possession, till they shall be taught due respect to the violated rights of nations. ♁

Resolved, That a copy of this report be transmitted to the Commander in Chief of the Continental forces, to be by him sent to Generals How and Burgoyne.

By Order of the Congress,
JOHN HANCOCK, *President.*

IN CONGRESS, July 19, 1776.

Resolved, That the Paper-Makers in Pennsylvania be detained from proceeding with the Associators to New-Jersey.

Extract from the minutes,
CHARLES THOMSON, *Sec'ry.*

IN CONGRESS, July 22, 1776.

RESOLVED, That the several Commanders in Chief in each department be directed to exchange any Officer in the British service, (now a prisoner in any of these STATES,) of, or under the rank of Colonel, for Col. ETHAN ALLEN. *See pa. 984, 1001, 1048. 960. 905*

RESOLVED, That the persons taken prisoners with Col. ALLEN, be put upon the same footing as those in the Continental service, and exchanged accordingly, as opportunity presents.

By Order of the Congress,
JOHN HANCOCK, *President.*

IN CONGRESS, July 24, 1776.

Resolved, That all the Resolutions of this Congress, passed on the 23d day of April last, relating to ships and other vessels, their tackle, apparel and furniture, and all goods, wares, and merchandize, belonging to any inhabitant or inhabitants of Great-Britain, taken on the high seas, or between high and low water mark, be extended to all ships and other vessels, their tackle, apparel & furniture, and all goods, wares and merchandize, belonging to any subject or subjects of the said King, except the inhabitants of the Bermudas and Providence or Bahama Islands.

By Order of Congress,
JOHN HANCOCK, President.

NEW-YORK, August 1.

An old gentleman between 60 and 70, now does duty in the militia near Newark in New-jersey, is the Father of about 25 children now alive, nine of which are in the Continental army, from Captains to Privates.

Several cannon was fired last Thursday week from our Battery at Amboy at a number of boats from Staten Island, bound to Sandy Hook, supposed to join part of the Ministerial fleet lying there:—This brought on a cannonading from the encampment of the Regulars near Bellop's point, on the island, which continued very hot on both sides for near an hour.—The boats got clear, but many of the Regulars were seen to fall, and several carried off supposed to be wounded.—On our side, a soldier belonging to one of the Philadelphia battalions was killed, and one wounded; a horse in a carriage had his head shot off in the street, and some damage done to the houses. ✕

The fourth man in the counties of King's, Queen's and Suffolk on Long-Island, and Westchester, Dutchess, Orange and Ulster, were ordered to hold themselves in readiness to march at a moment's warning; many of them are gone to their proper stations already. ✕

The Reverend Synod of New-York and Philadelphia, at their Meeting in May last, appointed the second Thursday in August inst. to be observed as a day of humiliation, fasting and prayer, to Almighty God, by all the congregations under their care, on account of the present oppressed and bleeding state of our country. (4)

Since our last upwards of six thousand troops have arrived here from Boston, Connecticut, &c. and more are daily expected. ✕

A letter dated the 23d of July, at Fort Montgomery, (about 68 miles up the North River) gives us the following intelligence, viz.

"That the British piratical rovers, up that river, were then below Verplanck's point—Their intentions were unknown, but it plainly appeared, thet their design in coming up was entirely frustrated: They were far from expecting we were so well prepared to receive them, especially at the fort. They were well watched on both sides the river, and on Friday last, one of their tenders having got aground, would have been destroyed by our people on shore, had it not been for want of boats. A continual fire of musquetry was kept up upon her, till she was relieved by the assistance of the Rose man of war (3) Captain Wallace, the noted pirate, with about 30 men landed at Haverstraw, where they set fire to the house of Capt. Lilly, a noted Tory, who was the first and only one, who received a specimen of the kind treatment they as well as others may expect, from their newly adopted friends. The British act of parliament makes no distinction between such and the freemen of America. ✕

"We have at this post 1000 men, well equipt, 700 at Fort Constitution, and several thousands at Peek's-Kill, on both sides of the river. ✕

"Last Thursday, a prisoner escaped by swimming from on board the Rose man of war. (3) He is a native of Boston, well known to many officers and men from thence, in the train, was last summer in the service. He was taken by the Rose in his passage from Ipswich, to the West-Indies, so that his information, respecting these worse than Free-Boosters, may be relied on, viz. ✕

"That by the conversation of the Prize's crew, he found that they expected, on coming up, to be joined by 500 Tories, who were to have driven down with them plenty of stock, of all sorts; that they had been informed, great quantities of provision, and goods of all kinds were deposited in the stores at Peek's Kill, which they were to have destroyed, and then proceeding through the Highlands, to Poughkeepsie, were there to destroy our men of war on the stocks. (6) That they appeared highly mortified, at finding every thing in a situation so different from what they had been made to expect—That the Rose had on board 220 men (boys included) and 20 marines—That in passing New York, the greatest damage they received was from the batteries at Powles-Hook Ferry, and the Blue Bell—That the cook, and another man had each a leg, and another his thigh taken off by a cannon ball—That a 12 pound shot lodged in the head of the foremost, just below the bounds, one through and thro' the quarter, one into the quarter gallery and cabin, and three were cut out just above her black streak. Her shrouds and rigging were much hurt. (3) The Phœnix's damage he was unacquainted with, and being a prisoner, it could not be expected they should inform him. He only heard accidentally, that she had a 12 pound shot in her bowsprit. ✕

NEWPORT, July 29.

Last Saturday, as the Cerberus was lying about three miles from Block-Island, Frank Gould, a muster lad, of this place, swam from the ship to the island, where he got a cedar boat with two suits, in which he came off, alone and naked, and landed at the fort on Brenton's Point yesterday in the afternoon. He is one of the hands Capt. Biddle put on board one of the Scotch transports some time past, and which was retaken by the Cerberus, and again taken by a New-York privateer. He says, Mr. James Josiah, Capt. Biddle's former lieutenant, who was prize master on board the transport, is treated very ill on board the Cerberus (3) as are some others, for refusing to act against their country (4) that there are about forty Americans on board said ship, her whole number of men being now about one hundred and sixty; she has taken on this station eighteen vessels, mostly small sloops and schooners, fifteen of which have been burnt; and that about a week ago they spoke with seven sail of transports, with Scotch troops on board, bound to New-York, who had been into Boston bay. (6)

PROVIDENCE, August 3.

Sunday last the Montgomery Privateer, Capt. Daniel Bucklin, of this port, returned from a cruize, during which she took three valuable prizes, also two others in company with a privateer belonging to Salem: She brought in with her a sloop of one hundred and eighty tons, Capt. Goodwin, bound from Nevis to London, having on board one hundred and nineteen hogsheads, one hundred and thirty seven tierces and twenty barrels of sugar, sixty two hogsheads of rum, &c. (6)

On Monday arrived a brig, taken by the Diamond privateer, Capt. William Chace, of this port; her cargo consists of one hundred and ninety five hogsheads and some barrels of sugar, sixty-five bales of cotton, twenty five tons of fustick, and a quantity of slaves and bedding; she was bound from Tortola to Live-pool. (6)

BOSTON, August 2.

By an express from Falmouth we are informed, that Capt. White the day before, in a privateer, had arrived there, having 40 men on board, with the particulars of the following prizes he had taken, viz. The Brig Fanny, 130 Hhds Rum from Antigua,—Sloop Betty, 150 Hhds Rum, and a Brig from Antigua, for Liverpool, with 230 Hhds Rum—Brig Harlequin from Nevis for London, 273 Hhds Sugar, and 65 Hhds Rum.—Ship Polly, from Antigua, 430 Hhds Rum, 12 Hhds Sugar. Ship Anna Mariah, 495 Hhds Sugar, and 52 Pipes of Wine, and some bales of Cotton, carried into Falmouth. The Capt. also took a 7th vessel, which he gave the prisoners. (6)

Mr. GILL,

Please to insert the following in your next Paper.

MY FELLOW CITIZENS,

ALLOW me to call your Attention for a few Moments to the internal Police of this Town, and to such Considerations upon it's Importance as should awaken in every Bosom an earnest Desire to correct its Disorders, and give new Life and Vigour to every executive Department in it.

——Permit me for this Purpose to ask a few plain Questions, which involve in them Facts of the highest Concernment?

Has the Public ever seen a List of the Town Officers? (8) Are not many of them ignorant of their own Appointment? Have the Selectmen ever been able to meet more than once? Has not the Reason of this when their Business is so important been because they have not been able to collect a sufficient number to legalize their Acts? Have the Overseers of the Poor met at all? And has not the Committee of Correspondence, whose Powers are so various and often from the Necessity of the Times of an extraordinary Nature; tho' the Town has chosen Twenty-seven Persons into that Department, I say, has not this Committee often been obliged to neglect important Business, because they could not collect a third Part of their Members, without which by a Vote of the Town they are unable to act? Has the Clerks of the Market, whose Office is so beneficial to the Poor, done any Thing as yet? And are there more than five Constables to be found in Town on any Occasion? Is the Warden Act at all regarded? or indeed have we any Persons, who know their Appointment to the Execution of it? (9)

Surely there never was a Time so proper for a thorough Reformation in every Department as the present.——Awake then my Fellow Citizens! Awake from your lethargic Inattention—feel every one you your Duty to the Public—feel your Importance as the Inhabitants of a free State, and lend in your several Spheres, your utmost Exertions to establish a good, equal and liberal Government among you.——Let every Person who has been chosen into any Office be called upon, and an explicit Answer demanded from him, Whether he excepts and will discharge the Duties of his Trust? If he will not, let him be excused, and some suitable Person appointed in his Stead. (9) This surely is no Time to bestow on any Man, how much soever we may esteem him, the Dignity of a Town Officer, if he does not mean to act in it. (9) *See pa. 989.*

CIVIS.

AN EXTEMPORE EPIGRAM on Sir PETER PARKER's wound at Sullivan's Island. (1)

His honor in the breech is lodg'd,
As Hudibras has shewn;
It may from thence be fairly judg'd
Sir Peter's honor's gone. (11)

THE Justices of Peace for the County of Suffolk are desired to attend at Dedham, on Tuesday the 13th Day of August Instant, at Ten o'Clock Beforenoon, to open, sort and count the Votes for a County Register.

William White

Is now opening, and to be sold at his Store on Dock-Square, (lately improved by Mr. Lewis Deblois) by Wholesale and Retail.

West-India Goods and Groceries of all Kinds.——Also English and Dutch Goods, consisting of Brezuery, Cutlary, Hard Ware and Piece Goods——Would be glad to serve his late Uncle's good Customers, both in Town and Country.

N. B. A few Hogsheads of best Jamaica Sugars, now selling, where his Customers may be supplied by applying soon.

To be SOLD very Cheap.

A Genteel Pheaton with a top to it, and Harness compleat for two Horses, with a Pole, or one with shafts; it may be seen at Mr. Brackett's Tavern in BOSTON, who is authorized to sell it.

STRAYED or STOLEN from Boston, about the fifteenth of July, a Black MARE, six years old, about fourteen hands high, trots and paces, has three white feet and a blaze in her face, mane thangs on her left side. Whoever takes up said Mare, and will return her, shall be paid Four Dollars by SAMUEL PAINE.

ALL Persons indebted to, or that have any Demands on the Estate of Ephraim Richards, late of Boston, Sperma Cati Refiner, deceased, are desired to bring in their Accounts to Christian Richards, of said Boston, Administrator on said Estate in order for Settlement.

Boston, 1776.

ALL Persons indebted to the Estate of the late Francis Johonnot, Distiller, deceased, either on Book, Bond, or Note, are once more earnestly requested to Settle the same immediately with the Administratrix, or she will be under the disagreeable Necessity of putting them in Suit.

George and Daniel Johonnot,

Have for Sale at the Distill House of their late Father, deceased,

CHOICE NEW-ENGLAND RUM, where any Persons who please to favour them with their Custom may depend on being served with Fidelity and Dispatch.

Jean Bernard Ollive,

Lately arrived from Martineco, has for Sale at a Warehouse near the Swing-Bridge, on the North Side of the Town-Dock.

CLARET in Tierces and Cases, best French Brandy in half Anchors, Cordials and Syrup in Cases; a few pieces fine and course Linens, Broad-Cloths, and a parcel of Medicines, which may be had on reasonable terms if applied for immediately, but his stay will be short.

August 3d, 1776.

TAKEN up on the thirty-first of July, a Black HORSE, five years old trots and paces well, with a star in his forehead, about fourteen hands and a half high, one side of his mane hangs to the right. The owner may have him by applying to Jonathan Fessenden, in Little Cambridge, paying the charges.

TAKEN up on the twenty-eighth of July, a large dark Bay HORSE, trots and paces well, about eight years old, with a small white spot in his forehead. The owner may have him by applying to Jonathan Fessenden, in Little Cambridge, paying the charges.

THE Public are hereby Notified that a Court of Probate for the County of Suffolk, will be held, for the accommodation of the People residing in the Country Towns in said County, on Monday the twenty-fifth Instant, at Dedham, at the Public House kept by Mr. Ames.

To be SOLD or LETT for want of Employ.

A Likely, Strong NEGRO MAN, about twenty eight Years of Age, has had the Small-Pox. For further Particulars Enquire of the Printer.

Boston, August 8th, 1776.

To be SOLD,

AN Excellent SADDLE HORSE, Trots and Paces well, is remarkably sure footed, and Sold for no fault. Enquire of the Printer.

John Potame, *advertiz'd in* No. IX. *of this Paper, is apprehended, and says that one Mol Thayer was with him when they broke open my House, and that she carried off all the Things there enumerated: She is part white and part Indian, has straight black Hair, about 5 Feet 6 Inches high, of a lofty Look:—After they had plundered my House she went to Bunker's-Hill, from thence to the Castle; and I hear she is set out for New York with the Army. Whoever will take up the said Mol Thayer and convey her to the Subscriber, or confine her, so as that she may be brought to Justice, shall have FIVE DOLLARS Reward, and necessary Charges paid, by*

Stoneham, July 30. EDWARD BUCKMAN.

(a) *see Substance of the privateering act page 931.*
(5) *see pa. 976.*
(6) *see index, under Naval affairs.*
(7) *see pa. 1004.*
(8) *yes, see pa. 917, 933.*
(9) *see the lists, page 917, 939.*
(10) *see their first appointment, page 1087.*
(11) *see page 979.*
(12) *see page 977.*

✓ *see pa. 964.* ✓ *see index, under Army British.* ♁ *see index, under Army of the United Colonies.* *See index, under Congress Continental.* & *see index, under Canada.* (1) *see pa. 984.* (2) *see resolve, page 930.* (3) *see indexes, under men of war.* ✕ *see index, under New-York.* (4) *see list of Grievances, pa. 971.*

v see index, under Canada. (12) see pa. 961. (13) see indexes, under Men of War. (14) see the Act, pa. 896.

4 see index under Town, County, &c. exhibits, Representatives, Congress, Continental, Governments, Revolution, & Army of the United Colonies. Naval Affairs. v see list of Grievances, page 971. (1) see page 734. ll see index under Army of the United Colonies. Naval Affairs. q see index, under Troops, British, & Men of war. see index under Congress Continental (6) see pa. 971. (8) see index under Army of United Colonies. (11) see pa. 984.

In some of the London papers the following is said to be a genuine extract of a letter from the Earl of CHATHAM, dated Hayes, March 9. 1776.

CONFINED to a sick bed, and racked with excruciating pain, I have little hope of raising my weak voice, and of declaring my poor opinion in Parliament. However, in answer to your very earnest request, I am to inform you that my sentiments, respecting the present state of America, happily coincide with those delivered by my brother Temple.

Whilst America retained her allegiance, I was the friend of America, whilst there was room for honourable accommodation, I was happy to propose the terms. That time is past, it is now too late to negotiate. You cannot treat with rebels whilst arms are in their hands. Your honour, your dignity, your authority, your interest, all forbid it. The present state of things does not admit of relaxation or concession. All conciliatory propositions are futile, nugatory, and deceitful; they originate in folly, and must terminate in disgrace.

The Colonies have levied open war against the parent state; the war must be prosecuted with vigour, with effect; every sinew, every nerve, ought to be exerted. The idea of expence is a mere bugbear, a phantom; grant that it may cost the nation fifty millions, national honour is above all estimation. America must be brought back to her duty. Your national character demands it. The rank you hold in the scale of Europe demands it. America must submit to the constitutional authority of Great Britain, and her submission must be absolute, unlimited, and unconditional; then will be the time to temper justice with humanity.

Parcere subjectis, & debellare superbos.

God forbid I should defend all the measures of Administration. You know I have often lamented their want of wisdom and vigor. But I will maintain it, the employing German Protestant troops, at this critical juncture, is a measure full of true wisdom and sound policy. The deluded Colonists running wildly after the shadow of liberty have lost the substance. I say; the present ministry will restore the Americans to freedom, and that freedom which is injoyed under a British constitution. It will relieve them from the most degrading species of tyranny, republican tyranny. Every Britain must oppose the notion of republicanism. The experiment has already been made, and fatal experience has shewn it to be totally incompatable with the magnitude and majesty of a great empire. It is a little pitiful idea, fit only for the citizen of a little state. I hold that monarchy, I would be understood *limited* monarchy, can alone preserve liberty to the subject, and give energy to government.

When you have read this, forward it with the letter to E. S. ✠ see pa. 1004.

From the St. JAMES's CHRONICLE of March 23.

WE have authority to assure the public, that the extract of a printed genuine letter from the Earl of CHATHAM, dated Hayes, March 9th, 1776, printed in the London Packet, Lloyd's Evening Post, and Baldwin's London Journal of Friday March 22d, is totally without foundation, and in every respect a gross and scandalous imposition on the world.

RHODE-ISLAND.

STATE *of* RHODE-ISLAND and PROVIDENCE PLANTATIONS.

IN GENERAL ASSEMBLY, *July Session*, 1776.

An ACT altering the Name of this Government.

BE it *Enacted by this General Assembly, and by the Authority thereof it is Enacted*, That, for the future, the Stile and Title of this Government, in all Acts and Instruments, whether of a public or private Nature, shall be *The* STATE *of* RHODE-ISLAND *and* PROVIDENCE PLANTATIONS.

It is further Voted and Resolved, That this Act and the act approving the Resolution of the GENERAL CONGRESS, declaring the UNITED STATES OF AMERICA FREE and INDEPENDENT STATES, be pub.

A true Copy:

WITNESS, HENRY WARD, *Sec'ry.*

STATE *of* RHODE-ISLAND *and* PROVIDENCE PLANTATIONS.

IN GENERAL ASSEMBLY, *July Session*, 1776.

WHEREAS the GENERAL CONGRESS of the UNITED STATES OF AMERICA, by their Resolution of the 4th Instant, after enumerating many of the various Acts by which George the Third, King of *Great-Britain*, hath demonstrated his Intention to establish an *absolute* Tyranny over the said STATES, have declared that "A Prince, whose Character is thus "marked by every Act which may define a Tyrant, is "unfit to be the Ruler of a *free* People; and have further declared that the said STATES "Are, and of "right ought to be, FREE and INDEPENDENT "STATES; that they are absolved from all Allegi-"ance to the *British* Crown; and that all political con-"nection between them and the State of *Great-Britain* "is, and ought to be, totally dissolved." Which said Resolution hath been approved and solemnly published by Order, and in Presence of this General Assembly:

It is therefore Voted and Resolved, That, if any Person within this State shall, under Pretence of preaching or praying, or in any other Way and Manner whatever, acknowledge or declare the said King to be our rightful Lord and Sovereign, or shall pray for the Success of his Arms, or that he may vanquish or overcome all his Enemies, shall be deemed guilty of a high Misdemeanor, and shall therefore be presented, by the Grand Jury of the County where the Offence shall be committed, to the Superior Court of the same County; and upon Conviction thereof shall forfeit and pay, as a Fine, to and for the Use of the States, the Sum of ONE HUNDRED POUNDS lawful Money, and pay all costs of Prosecution; and shall stand committed to Goal until the same be satisfied.

From the PENNSYLVANIA PACKET.

By publishing the following translation of a letter written by a French officer now in the service of the States of America, to a French nobleman in Paris, you will oblige your's F. P.

MY LORD, *Philadelphia, July 5.* 1776.

AFTER the permission you were pleased to grant me to come to this country, I am at last arrived; not without many dangers and great expence. I found here a happy people, averse to oppression, without any spirit of sedition, active and laborious, with all the necessary qualifications required to the foundation of a powerful republic, able to support itself without the assistance of Europe. This immense country possesses all advantages, and its true riches consist in the produce of its soil. It is as yet in its infancy; but still it is a vigorous child, that in reality has no more need of its mother nor its neighbours, provided it never intermeddle with the balance of Europe. Perhaps, my Lord, you will not consider these things in the light I do; but this country might be the greatest market for our manufactures, could we once give these people a taste for those which we have in great abundance, and with which Great-Britain used to furnish them, to the amount of immense sums. I found the people generally inclined for absolute independency, and willing to support it with their lives and fortunes. I was surprised to see their troops exercise and manœuvre as well as they do; and were they not animated by the love of liberty, they would be an unparallelled prodigy; but when that takes place, all wonder ceases. I visited many of their fortifications which have been raised with an amazing celerity. I never knew so many and such good works performed in so short a time. I was accompanied in this tour by several General Officers, particularly by Majors General Putnam and Gates, and a member of the Congress. I told them my opinion of those works, and I have been desired to raise some necessary ones here where they are required.

This Government, its form, its liberty, are so similar to that of the antient and once happy people of Bretagne, (the country of my nativity) that I am delighted with it. And, if I can be useful to the United States, I intend to end my days in them. I shall regard my original country and its subjects as my family, and if I can be useful to them, and any thing advantageous to the American States, and equally agreeable to France, could be proposed here, I would undertake to offer it with the greatest pleasure, without requiring from the King of France either honors, pecuniary rewards, or any other mark of gratitude. All my satisfaction would consist in the inward feelings of my soul, if I could once by my endeavours set on foot a commercial correspondence---equally beneficial to my former country, and that which I now adopt. You will imagine, my Lord, that I am too hasty, but permit me to assure you, that after mature deliberation, and positive information of the strength of America, I am convinced they are able to resist against all their enemies. If the Americans have not the greatest knowledge in the art of war, they have great advantages from the situation of their country, undaunted courage, determined resolution, and the best and most glorious cause. Nothing will be able to divide them. Every precaution is taken against their interior enemies whose number is insignificant. Such a solemn and well supported resolution gives me the highest opinion of these privileged souls, who defend their rights without ostentation or faction, and who desire only Liberty and Independency. (6) They already feel that such a state is not a chimera as is too generally thought in Europe, Switzerland excepted. see pa. 952.

I have the honor, my Lord, to enclose you the Declaration of Independency, published yesterday by the Honorable Congress of the United American States, and, to prevent the danger of my letter miscarrying, shall send it by duplicate. I have the Honor to be,

With respect, my Lord, your most humble,
And most obedient servant.

PHILADELPHIA, July 24.

Extract of a letter from New-York, dated July 22.

"Satu day came up from Lord Howe, a flag of truce, by Adjutant General Patterson of the British army; he landed near the battery, and passed through the life guards of General Washington, and had a private conference with him at Colonel Knox's for near half an hour, the particulars of which I am this moment informed of by a person of distinction. One piece of his business was, that he urged the General to accept of the letter; and that Lord Howe was extremely sorry it could not be received, as it was of a private nature. General Washington told the Adjutant as for himself he did not mind the title, but the General Officers did not think proper for him to receive it without, and that he could not on any account receive it. (10) The Adjutant behaved with great politeness, and made use of the forms necessary to a person in the General's situation, as (may it please your Excellency, &c. &c.) another thing was, that Lord Howe was very much averse to barbarity. [*This was in answer to a message sent by General Washington, respecting the barbarity of the Indians in some of our people in Canada*] but as the army in the northern department did not come under his jurisdiction, he could do nothing in it; the command being devolved to the Generals Carlton and Burgoyne. He then mentioned an exchange of Mr. (12) Lovell for Major Skeen, which General Washington wanted done when at Cambridge, but they would not then do it; and our General told him it could not be done till he wrote to the Continental Congress concerning it. (10)

"Yesterday afternoon six ships and a brig came into the narrows. see index, under New York.

"A servant man of Mr. Charles McEvers, was taken up Yesterday at Long-Island ferry, dressed in womens cloaths,--- he had a letter directed to Mr. Alexander Wallace---he was carried before the General and has since been ordered to Jail under a strong guard.

"Our army has left Crown-Point and come to Ticonderoga. General Sullivan is come to town; it is said the British army are fortifying St. John's and building some vessels. ✠

WHEREAS repeated Applications have been made to the Council of this State, by Committees of Safety, &c. in several Towns for Direction, and Assistance respecting such Persons as are called TORIES: Therefore,

Ordered, That all Magistrates, Sheriffs, Committees of Safety, and all other Officers within this State, do exert themselves with Vigour in carrying the Laws and Orders of said State into Execution, so that the good People of the united States of *America* may not be exposed to such inimical Persons. A true Copy,

Attest. JOHN AVERY, Dep. Sec'y.

Colony of the Massachusetts-Bay, *Lincoln ss.*

A Libel is filed before me against the Echo *South Packet*, burthen about 40 Tons, cleared by Isaac Danks, which Vessel is said to be imployed in carrying Supplies to the Fleet and Army (14) now against the United Colonies, and taken and brought into the County of *Lincoln*. And the Court erects their Flag and condemn all Vessels that shall be found inside the Sea Coast of America, and brought into either the Counties of *York, Cumberland* or *Lincoln*, will be sold at the Meeting-House in the East Precinct of *Pownalborough*, on Tuesday the third Day of *September* 1776, at the Hour of Ten in the Forenoon, to try the Justice of said Capture; of which this Notice is given pursuant to the Law of the Colony aforesaid, that all Persons claiming Property in said Schooner, or any Ways concerned therein, may appear and shew Cause (if any they have) why the said Schooner with her Appurtenances and Cargo, should not be decreed forfeit.

TIMOTHY LANGDON, Judge of said Court.

Strayed or stolen from Boston, *about the 13th July, a black Mare, six Years old, about 14 Hands high, Trots and Paces; has three white Feet, and a Blaze in her Face. Mane hangs on her left Side. Whoever takes up said Mare, and will return her, shall have Four Dollars paid, by* SAMUEL PAINE.

WANTED,

A Quantity of good POT-ASH, for which Cash will be given on the delivery. Enquire at DAVIS & FARRINGTON's Store at South-End of *Boston*.

TAKEN up by STEPHEN BADCOCK of *Milton*, a young HORSE, supposed to be four or five years old, a red colour, with his two hind feet white, and a white star in his forehead, trotts all.

ALL Persons indebted to, or that have any demands on the Estate of JOSHUA VOSE, late of *Milton*, Gentleman, dreceased, are desired to bring in their Accounts to Major JOSEPH BADCOCK, of said *Milton*, Administrator to said Estate, in Order for a speedy Settlement. *Milton, July 29th*, 1776.

Colony of the Massachusetts-Bay, Southern District, ss.

To all whom it may concern,

NOTICE is hereby given, That the Maritime Court for the Southern District of the Colony aforesaid, will be held at *Plymouth*, on Wednesday the seventh Day of *August* 1776, at the Hour of ten in the Forenoon, to try the Justice of the Capture of the Ship, named the Reynolds, burthen about 300 tons, (lately commanded by Kelock Reiden) and of her Cargo and Appurtenances, against which a Libel is filed before me, (the said Ship being brought into the southern district aforesaid, in behalf of the Owners, Officers Marines, and Mariners of the armed Sloop, called the Congress, (commanded by George M' Elroy) and the Owners of said Ship, or any Persons concerned may appear and shew cause, if any they have, why the same Ship, her Cargo and Appurtenances should not be condemned.

At the Court aforesaid, will be tried the Justice of Gilbert Harrison's claim to certain Goods found on board the Schooner Volant, lately condemned in the Maritime Court for the southern District, of which this Notice is given to all Persons concerned.

N. CUSHING,

To be SOLD,
By PUBLIC VENDUE,

By Order of the General Court, on Monday the 2d Day of September next, at 3 o'Clock, P. M. at the House of LEMUEL CHILD, Innholder in *Roxbury*,

THE Real Estate of Mr. EDWARD BRIDGE, late of *Roxbury*, deceased, consisting of a good Dwelling-House and other Out Houses, and about seventy Acres of Land. For furt her Particulars, enquire of LEMUEL CHILD of *Roxbury* aforesaid.

July 29th 1776.

To be SOLD, by

LUKE BAKER,

At his shop in Roxbury, about 8 miles from Boston, on the Post Road leading to Providence.

A Quantity of Linnens, Checks and White Cord; suitable for Gentlemen's Waistcoats and Breeches to be Sold by Wholesale.

RAN-away the 8th instant, a Negro Man named *Pompey*: He had on when he went away, a fashionable new cock'd Beaver Hat, a blue Whitney half lappel'd outside Jacket, with white metal Buttons, and a tasty slash Pocket, a blue and white woollen under Jacket, white leather Breeches, blue Stockings, and brass Buckles in his Shoes; he is about 24 years old, stout and strong made, and has been seen several evenings lurking about town, but 'tis thought he is now gone off towards Salem or Marblehead; his natural colour quite black, but when challeng'd, and he going to Lie, his eyes will twinkle, and his face change colour.

Whoever will bring the above Negroe to the Printer, that his Master may have him again, shall be intitled to two Dollars reward, and all reasonable charges paid. July 16th. 1776.

✠ The above is a Forgery. (2) see magna Charta, pa. 790, 1050.---petition of right, pa. 816. Bill of rights, pa. 1053, Vol. 2. x see their Character, Cruis, pa. 740, &c. (3) see indexes, under Troops British. (4) see the Treaty, pa. 951. (5) see pa. 981. (7) see Pitt's Speech, pa. 403, Vol. 1. (9) see American rights, pa. 1089, 1228. (10) see pa. 984.